

Docket No.: 01.39

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wolf, Shane

Serial No.: 09/923,113

Group Art Unit: 3732

Filed: August 6, 2001

Examiner: T. Manahan

For: Stress Relieving Gel Handle Tools For Salon And Spa

AMENDMENT, ELECTION AND REMARKS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed on August 20, 2002, please amend the application as follows:

IN THE SPECIFICATION:

At page 4, last line replace "brush" with "tool".

IN THE CLAIMS:

Cancel claims 1-10 and 12-13.

14 (Amended). Shears comprising:

- a head that contains one or more elements adapted to be directed toward the hair;
- a handle comprising finger loops, each finger loop having an inner diameter; and
- deformable grips located on each inner diameter, each grip having:
  - a deformable outer surface capable of receiving at least a portion of the inner diameter into itself; and
  - a viscous medium enclosed by the outer surface.

PTO/SB/21 (08-00)

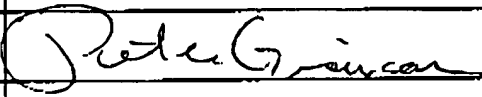
Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/923,113	
	Filing Date	08/06/2001	
	First Named Inventor	Wolf, Shane	
	Group Art Unit	3732	
	Examiner Name	T. Manahan	
Total Number of Pages in This Submission		12	
		Attorney Docket Number	01.39

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Fax Transmission Fax Cover Page
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Peter Giancana 44,706
Signature	
Date	11/18/2002

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____		
Typed or printed name		
Signature		Date

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PTO/SB/17 (10-02)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2003**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0

**Complete if Known**

Application Number	09/923,113
Filing Date	AUG 6, 2001
First Named Inventor	WOLF
Examiner Name	T. MANAHAN
Art Unit	3732
Attorney Docket No.	01.39

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
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05-1320

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 740	2001 370	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 510	2003 255	Plant filing fee	
1004 740	2004 370	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
9	24	20**	0
1	3**	0	0
Multiple Dependent			0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$)</b> 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 400	2252 200	Extension for reply within second month	
1253 920	2253 460	Extension for reply within third month	
1254 1,440	2254 720	Extension for reply within fourth month	
1255 1,960	2255 980	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,280	2453 640	Petition to revive - unintentional	
1501 1,280	2501 640	Utility issue fee (or reissue)	
1502 460	2502 230	Design issue fee	
1503 620	2503 310	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 740	2809 370	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 740	2810 370	For each additional invention to be examined (37 CFR 1.129(b))	
1801 740	2801 370	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
<b>SUBTOTAL (3)</b>			<b>(\$)</b> 0

**SUBMITTED BY**

Name (Print/Type)	PETER GIALCANA
Signature	<i>Peter Gialcana</i>

Registration No.  
(Attorney/Agent)

44,706

(Complete if applicable)

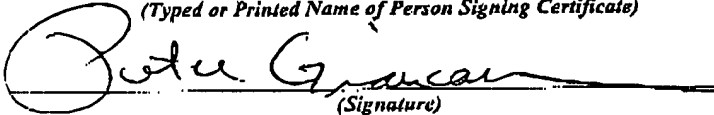
Telephone 631-531-1193

Date NOV 18, 2002

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.5)			Docket No.
Applicant(s):			01.39
Serial No. 09/923,113	Filing Date November 18, 2002	Examiner T. Manahan	Group Art Unit 3732
Invention:  Stress Relieving Gel Handle Tools For Salon And Spa			
<p>I hereby certify that this _____ <u>fax cover, transmittal form, fee transmittal, amendment (8pgs)</u> (Identify type of correspondence) <u>305-3590</u></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-388-9708</u>)</p> <p>on <u>November 18, 2002</u> (Date)</p> <p style="text-align: right;"><u>Peter Giancana</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p>			
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Writer's direct Fax: (631) 531-1340

**Estee Lauder Companies**

# Fax

<b>To:</b>	TODD MANAHAN	<b>From:</b>	Peter Giancana ESTEE LAUDER COMPANIES 125 Pinelawn Road Legal Dept. - Research Park Melville, New York 11747 Ext. (631) 531-1193 Fax: (631) 531-1340
<b>Fax:</b>	703-305-3590	<b>Pages:</b>	12 Including Cover Page
<b>Phone:</b>		<b>Date:</b>	Nov 18, 2002
<b>Re:</b>	09/923,113		

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**GROUP 3700**